

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

ED'S BEANS, INC., D/B/A  
CRAZY MOCHA,  
CRAZY MOCHA COFFEE, CRAZY  
MOCHA COFFEE COMPANY,  
KIVA HAN, KIVA HAN COFFEE,  
KH AND KHC,

Debtor.

Bankruptcy Case No. 20-22974-CMB

Chapter 11 (Subchapter V)

Related Doc. Nos.: 572, 573, 574, 575, & 576

Hearing Date: August 12, 2021 @ 2:30 p.m.

Response Date: August 5, 2021

Ballot Deadline: August 5, 2021

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**SUMMARY OF BALLOTS RECEIVED ON ED'S BEANS, INC.'S SUBCHAPTER V -  
SMALL BUSINESS DEBTOR'S AMENDED CHAPTER 11 PLAN OF  
REORGANIZATION DATED AS OF JULY 2, 2021, AND CERTIFICATION OF  
COUNSEL**

Ed's Beans, Inc., (the "**Debtor**") in the above-captioned proceeding, by and through its undersigned counsel, files the following Summary of Ballots Received on Ed's Beans, Inc.'s Subchapter V – Small Business Debtor's Amended Chapter 11 Plan of Reorganization Dated as of July 2, 2021 (the "**Amended Plan**"), and Certification of Counsel (the "**Summary of Ballots and Certification**"), stating as follows:

1. The undersigned certifies that to the best of her knowledge and belief all ballots received have been accounted for and tabulated and that this Summary of Ballots and Certification is an accurate representation of the ballots received.<sup>1</sup>

2. The following is a summary of the voting:

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<sup>1</sup> Due to the COVID-19 Pandemic and many entities, individuals and governmental units not conducting in-person business and working remotely and the potential disruption in sending and receiving mail related thereto, the Debtor received a number of ballots via electronic mail and some by regular or overnight mail. To the best of undersigned counsel's knowledge all ballots received either by regular mail, overnight mail or electronic mail have been accounted for and tabulated in this Summary of Ballots and Certification.

Class #	Class Description	Claim Amount	Impaired or Unimpaired	Accept	Reject
1	Ally Financial (Auto Loan)	\$5,322.50	Unimpaired	Deemed to Have Accepted the Plan	
Votes Cast: 0 Unimpaired Deemed to have Accepted					

Class #	Class Description	Claim Amount	Impaired or Unimpaired	Accept	Reject
2	The Bank of New York Mellon (Security Deposit)	\$3,600	Unimpaired	Deemed to have Accepted the Plan	
Votes Cast: 0 Unimpaired Deemed to have Accepted					

Class #	Class Description	Claim Amount	Impaired or Unimpaired	Accept	Reject
3	First Commonwealth Bank (SBA Commercial Term Loan and Line of Credit)	\$318,000	Impaired	X	
Votes Cast: 1 Votes Accepting: 1 Votes Rejecting: 1 Percentage Accepting: 100% Percentage Rejecting: 0%					

Class #	Class Description	Claim Amount	Impaired or Unimpaired	Accept	Reject
4	American Express National Bank (Merchant Loan)	\$52,846.70	Impaired		X
Votes Cast: 1 Votes Accepting: 0 Votes Rejecting: 1 Percentage Accepting: 0% Percentage Rejecting: 100%					

<b>Class #</b>	<b>Class Description</b>	<b>Claim Amount</b>	<b>Impaired or Unimpaired</b>	<b>Accept</b>	<b>Reject</b>
5	Swift Financial, LLC (PayPal Loan)	\$104,514.88	Impaired		
Votes Cast: 0 Votes Accepting: 0 Votes Rejecting: 0 Percentage Accepting: 0% Percentage Rejecting: 0%					

<b>Class #</b>	<b>Class Description</b>	<b>Claim Amount</b>	<b>Impaired or Unimpaired</b>	<b>Accept</b>	<b>Reject</b>
6	Small Business Administration (EIDL)	\$152,311.64	Impaired		
Votes Cast: 0 Votes Accepting: 0 Votes Rejecting: 0 Percentage Accepting: 0% Percentage Rejecting: 0%					

<b>Class #</b>	<b>Class Description</b>	<b>Claim Amount</b>	<b>Impaired or Unimpaired</b>	<b>Accept</b>	<b>Reject</b>
7	Nissan Motor Acceptance Corp. (Auto Loan)	\$14,290.94	Impaired		
Votes Cast: 0 Votes Accepting: 0 Votes Rejecting: 0 Percentage Accepting: 0% Percentage Rejecting: 0%					

<b>Class #</b>	<b>Class Description</b>	<b>Claim Amount</b>	<b>Impaired or Unimpaired</b>	<b>Accept</b>	<b>Reject</b>
8	Priority Unsecured Claims	\$27,580.00	Impaired		
Votes Cast: 0 Votes Accepting: 0 Votes Rejecting: 0 Percentage Accepting: 0% Percentage Rejecting: 0%					

9	General Unsecured Creditors		Impaired		
	First Commonwealth Bank	\$2,209,708.43		X	
	Carnegie Library of Pittsburgh	\$5,200.66		X	
	Hertz Gateway Center, LP	\$11,956.26*  Proof of Claim was for \$44,381.46 but included post-petition rent		X	
	North Suburban Land Company	\$48,214.95*  Proof of Claim was for \$63,275.95 but included post-petition rent		X	
	Brady Building, LLC	\$40,726.19		X	
	Baum Boulevard Investors, LP	\$50,292.00		X	
	Pittsburgh SSW1 Note Owner, LLC	\$516,930.47		X	
	American Express National Bank	\$82,217.25			X
	American Express National Bank	\$52,846.70			X
	Southpointe Towne Center, L.P	\$32,297.10		X	
	Forest City Bessemer Court Associates, LP a/k/a FC Station Square Bessemer Court, LLC	\$267,341.67		X	
	UPMC East	\$9,361.40*  *No claim was filed. The Debtor scheduled the claim as \$1,520.00		X	

Votes Cast: 12	Amount of Claims Voting:				
Votes Accepting: 10	\$3,327,093.08				
Votes Rejecting: 2	Amount Accepting:				
	\$3,192,029.13				
Percentage Accepting:	Amount Rejecting:				
83%	\$135,063.95				
Percentage Rejecting:	Percentage Accepting: 95%				
17%	Percentage Rejecting: 5%				

Class #	Class Description	Interest Amount	Impaired / Unimpaired	Accept	Reject
9	Equity Interest Holders		Unimpaired	Deemed to have Accepted the Plan	
	Ed Wethli	59.93%			
	Marcie Wethli	9.175%			
	Nicholas Redondo	3.434%			
	Timothy Albinese	20.60%			
	Timothy Burgan	6.867%			
Votes Cast: 0					
Unimpaired Deemed to have Accepted					

3. Attached hereto and marked as Exhibit A are copies of the ballots received by Debtor's counsel and tabulated above.

Dated: August 6, 2021

Respectfully submitted:

LEECH TISHMAN FUSCALDO & LAMPL, LLC

/s/ Crystal H. Thornton-Illar

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